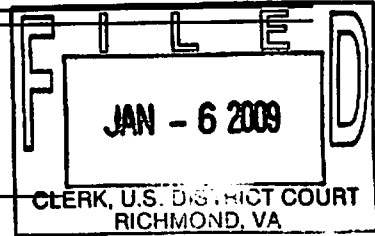


United States District Court

EASTERN

DISTRICT OF

VIRGINIA



UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

CASE NUMBER:

CHARLES R. FLEMING, JR.

09m52

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 6, 2008 at Fort Lee, Virginia, in the Eastern District of Virginia defendant(s) did,

did operate a motor vehicle after being adjudicated an habitual offender, this being his seventh offense in ten years.

in violation of Title 18 United States Code, Section(s) 13, assimilating the VA Code, Section 46.2-357(B)(3). I further state that I am a(n) Police Officer for Fort Lee and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof. ☒ Yes ☐ No

Signature of Complainant

Sworn to before me, and subscribed in my presence

1/6/09
Date

at Richmond VA
City and State 1st
M. Hannah Lauck
United States Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, Jorge L. Prek Ruiz, a Police Officer for Fort Lee, Virginia being duly sworn depose and state as follows, to wit:

1. Your affiant has been a Police Officer for approximately six years. Prior to working for the Fort Lee Police Department, your affiant was employed an additional three years with the Riverside Regional Jail. Your affiant has received formal classroom and field training in criminal and traffic investigative procedures.

2. Your affiant personally participated in the investigation of this case and your affiant is personally familiar with all circumstances of this investigation or received information from a reliable source. This affidavit contains information necessary to establish probable cause, but may not include each and every fact known by me or the by the government. On the basis of that familiarity, your affiant alleges the facts will reveal there is probable cause to believe that on or about January 6, 2008, at approximately 8:45 a.m., **Charles R. Fleming, Jr.** did unlawfully commit the following:

was found operating a motor vehicle on a highway on Fort Lee, Virginia, after being found to be an habitual offender, this being a seventh offense, in violation of Title 18, United States Code, Section 13, assimilating the 1950 Code of Virginia, as amended, Section 46.2-357(B)(3).

3. The following events occurred on or about January 6, 2008:

At approximately 8:45 a.m., the defendant drove up to Security Officer Jay Roeleveld at the inspection lane of Sisisiky Gate on Fort Lee, Virginia, because he was operating a truck that did not have a base decal. At the inspection lane, when he was asked to provide identification, **Fleming** handed Security Officer Roeleveld a Virginia Identification Card. Officer Roeleveld called the Provost Marshal's Office who dispatched your affiant to the scene. Your affiant called the information on the defendant's identification card into the Dispatch center and his driving record was run. The information on the record showed that **Fleming** had been adjudicated an habitual offender in 1995 and since 2000 has received 6 convictions for driving while an habitual offender.

4. The certified copy of the driving record for the defendant revealed the following:

(a.) On March 29, 2006, the defendant was convicted of operating motor vehicle after being declared Habitual Offender, in Henrico County Circuit Court (offense date August 9, 2005).

(b) On March 29, 2006, defendant was convicted of operating motor vehicle after being declared Habitual Offender in Henrico County Circuit Court (offense date May 18, 2005).

(c) On May 23, 2003, defendant was convicted of operating motor vehicle after being declared habitual offender in Richmond City, General District Court (offense date April 4, 2003).

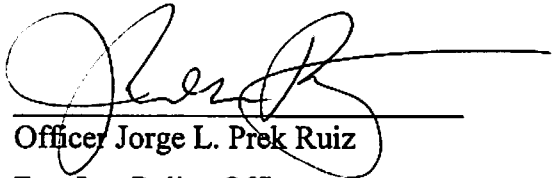
(d) On March 7, 2003, defendant was convicted of operating motor vehicle after being declared Habitual Offender in Richmond City, General District Court (offense date November 15, 2002).

(e) February 15, 2001, defendant was convicted of operating motor vehicle after being declared Habitual Offender in Richmond City, General District Court (offense date August 5, 2000).

(f) On March 15, 2000, defendant was convicted of operating motor vehicle after being declared Habitual Offender in Richmond City, General District Court (offense date December 28, 1999).


(g) On October 11, 1995, defendant was adjudicated as a habitual offender by Richmond City, Circuit Court.

Based on my training, experience and investigation, I believe there is probable cause to believe that **Charles R. Fleming, Jr.** did operate a motor vehicle on a highway in Virginia after being adjudicated an habitual offender, this being his seventh offense in ten years, in violation of Title 18, United States Code, Section 13, assimilating the 1950 Code of Virginia, as amended, Section 46.2-357(B)(3) in the jurisdiction of the United States and I request an arrest warrant.



Officer Jorge L. Prek Ruiz
Fort Lee Police Officer

Sworn and subscribed to before me 1/6/09

/s/ 
M. Hannah Lauck
United States Magistrate Judge

UNITED STATES MAGISTRATE JUDGE